

CITY COUNCIL, CITY OF LODI  
COUNCIL CHAMBER, CITY HALL  
AUGUST 18, 1954

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, August 18, 1954; Councilmen Hughes, Mitchell, Richey, Robinson and Fuller (Mayor) present. City Manager Weller and City Attorney Mullen absent. City Clerk Henry A. Glaves, Jr., present as Acting City Manager.

Minutes of the previous meetings of June 16, July 7 and July 21, 1954, approved as written and mailed.

COMMUNICATIONS

ARCH FOUNDATION INSPECTION	Letter from the Lodi Arch Committee requesting that the Engineering Department inspect foundation of the arch. In a memorandum to the City Manager the City Engineer requested that the inspection be deferred to October 1, due to backlog of street work. A motion was made by Councilman Richey, Hughes second, that inspection of the arch foundation by the Engineering Department be postponed until after October 1, 1954. Motion carried.
SAFeway STORES TREE REMOVAL ON E.LODI AVE.	Letter from Safeway Stores requesting permission to remove all trees along the north side of East Lodi Avenue between Stockton and Washington Streets and every other tree surrounding the remaining portion of the block. A memorandum from the City Engineer stated that he had talked with Mr. Clyde J. Coletti, representing Safeway Stores, who indicated that the Company would be willing to provide for the widening of Lodi Avenue by moving the curb and gutter to within 5 feet of their property line and placing a 7 foot sidewalk adjacent to the curb. The City would be expected to remove the trees along Lodi Avenue and to pave the widened portion of the street. The City Engineer recommended that the above program be followed. The recommendation of the City Engineer was adopted on motion of Councilman Hughes, Mitchell second. Regarding removal of every other tree on the balance of the block, the Council indicated it was in substantial agreement with the request to remove one-half of the trees, but directed that Loren Cromwell work out a tree removal program with Safeway Stores.
C.C.T. CO. E.LODI AVE. WIDENING	In connection with the widening of East Lodi Avenue, Councilman Robinson made a motion that the City Manager contact the Central California Traction Company with the purpose of having the Company assume the costs of paving along Lodi Avenue when it is widened, since the Company has some responsibility in the matter due to its tracks being along that street. The motion was seconded by Councilman Mitchell and passed.
OFFICERS BRUNSON & CORRAL COMMENDED	Letter from Chief of Police Hunt with copies of letters of appreciation to Police Officer James Brunson and Auxiliary Police Officer Isadore Corral for their alertness in apprehending two men who were attempting a robbery. The Council moved to send a letter of commendation to these two men over the Mayor's signature, the Mayor pointing out that the auxiliary officer was especially to be commended.

REPORTS OF THE CITY MANAGER

MAJOR STREETS AGREEMENT	A Memorandum of Agreement from the Division of Highways for expenditure of gasoline tax monies for major streets was presented. Councilman Richey, Mitchell second, moved the adoption of Resolution #1829 approving the Memorandum of Agreement for expenditure of gas tax allocation for major city streets. Motion carried.
RES. #1829	

PICKUP TRUCK  
AWARD  
RES. #1830

Bids on pickup truck for the Engineering Department were then read, Krieger Motor Company being low bidder with a bid of \$1,203.93 less trade-in of \$443.93. On motion of Councilman Hughes, Mitchell second, Res. #1830 awarding the bid to Krieger Motor Company was adopted.

POLICE CARS  
AWARD  
RES. #1831

Bids on four police cars were then presented. There were two types of bids, one on four light cars and the other on three light cars and one heavier car. The best and lowest bid was from Krieger Motor Company on the four light cars for \$5592.08 with a trade-in allowance of \$1800.00, making a net cost of \$3792.08. Res. #1831 awarding the bid to Krieger Motor Company was adopted on motion of Councilman Mitchell, Hughes second.

GRAVEL SPECS  
APPROVED

Specifications for 1500 tons of 1½" gravel were approved on motion of Councilman Hughes, Richey second.

AUDIT SPECS  
APPROVED

Specifications for the annual audit were approved for advertising on the motion of Councilman Richey, Mitchell second.

S.P.CO. POLE  
USE AGREEMENT  
FOR COMMUNICA-  
TION CIRCUIT

A recommendation from the Superintendent of Utilities that the City authorize contact agreements with the Southern Pacific Company for use of the City's power poles was read. This agreement is necessary in order for the Company to establish a communication circuit along its Woodbridge branch line to facilitate movement of trains across Pleasant, Church, School and Sacramento Streets. Councilman Hughes moved the adoption of the recommendation of Superintendent Killelea. Motion seconded by Councilman Robinson and carried.

CAIN LETTER  
RE HALL OF  
JUSTICE SITE

A letter to the City Manager from Mr. Leonard Cain was then read requesting that location of the Hall of Justice in the vicinity of Hale Park be considered. Since the letter had not been read at the meeting of August 4 due to the fact that it had arrived late the day of the meeting, Councilman Richey moved, Mitchell second, that a letter of apology be written to Mr. Cain stating why the letter had not been read on August 4 and that it had been read at this meeting.

HALL OF  
JUSTICE

Councilman Robinson opened a discussion of the proposed construction of the Hall of Justice with the following statement:

"In March 1950 the lot adjacent to the City Hall on the east was proposed for a Hall of Justice and police facilities. This lot was purchased on May 26, 1947.

"Discussion and study by the City Council was continued at various times until in September 1952 a contract was entered into with Hurt, Trudell and Berger, Architects, for preparation of plans and specifications for the Hall of Justice. These plans have subsequently been approved and paid for.

A. Funds for construction in accordance with Architects' estimate are in the Capital Outlay Reserve Fund.

B. Priorities of capitol investments have been under study since the Citizens's Committee recommendations of 1951 and all point to Hall of Justice being first on the list.

"Negotiations with the County for the use of a portion of the building for the Justice Court began in January 1952 and resulted in the lease of the City Hall Auditorium for a court room on a temporary basis pending erection of our new Hall of Justice. An oral agreement was made with the Board of Supervisors for the leasing of the new quarters upon equitable terms to be defined when our costs are determined.

"First opposition was expressed in a 'Letter to the Editor' of the Lodi News Sentinel in January 1953.

"Subsequently various discussions and public hearings have been held by both the City Council and the Planning Commission. Construction plans were deferred until completion of this section of the Master Plan by Harold Wise. A public hearing was held by the Council on our last meeting, August 4, at which time all persons desiring were given an opportunity to present their views. An excellent review of the history of this controversy is also included in a letter to the Council from the City Manager dated July 14, 1954.

"I believe that I have carefully considered all phases of the subject, including criticisms of site and plans, and am ready to help make a decision tonight on the issue."

Mayor Fuller stated that he believed there were two issues to be decided: (1) Should a Hall of Justice be built, and (2) the location of the building. Councilman Hughes stated that he was concerned with the status of the negotiations with the Board of Supervisors for the lease of the Court facilities. He pointed out that the timing of the decision was wrong because there would be changes in the constitution of the Board after the first of the year. The new Board might not feel the same as the present Board. Councilman Robinson stated that he did not believe there would be any difficulty with the Board of Supervisors, but he did agree that the City should have an agreement in writing before construction was commenced. Councilman Richey stated that she could see no reason to delay the matter further. She pointed out that the need for the facilities is urgent and ample time has been given to the consideration of the question. She added that this is not a case of the City Council reaching a hasty decision. Councilman Mitchell stated that he had given the matter a great deal of thought and had reached the decision that the City Council should proceed with the construction. He then made the following motion: "I move that the site for the construction of the proposed Hall of Justice be located east and immediately adjacent to the site of the present City Hall. I further move that the City enter into negotiations with the Board of Supervisors of San Joaquin County and obtain a written agreement with the County that they would be willing to pay their fair proportionate share of the costs of the facilities proposed to be constructed and that will be used by the County; that after this agreement is obtained the City then proceed to construct the Hall of Justice." The motion was seconded by Councilman Robinson. Mrs. Viola Reiswig then addressed the Council to state that three members of the former City Council had been defeated because they favored the Hall of Justice site east of the City Hall. Mr. Carl Wishek stated that thousands of people objected to the construction of the building and urged that the matter be submitted to the voters. Mayor Fuller asked Mr. Wishek if his opposition to the Hall of Justice site was connected with the future site of the Farmers and Merchants Bank building. Mr. Wishek stated that he was not representing the Bank, but that the answer was no. Councilman Mitchell replied that on December 24, 1952, he had been told by Mr. Wishek that if the Hall of Justice was constructed on the proposed site, the Bank would never build on its property on West Pine Street. Mr. Wishek denied this statement. Mayor Fuller stated that the same statement had been made to him by Mr. Wishek. Mr. Rolla Garretson, Jr., then informed the Council that if it passed this motion, he had been instructed by his clients, Mr. Wishek and Mr. Grafigna, to proceed with initiative or referendum proceedings.

Mayor Fuller then called for the question after stating that he would vote against the motion because it covered both the construction of the Hall of Justice and the site. The motion was then passed by the following vote:

AYES: Councilmen - Mitchell, Richey and Robinson  
 NOES: Councilmen - Hughes and Fuller  
 ABSENT: Councilmen - None

PLANNING COMMISSION

TARARACK -  
 RIMBY ALLEY

The Planning Commission submitted without recommendation a request of the City Engineer that the West 224' of an alley between Tamarack and Rimby Avenue be abandoned. Decision on the matter was postponed pending further investigation by the Council.

W. LODI AVE.  
 SETBACK


The Planning Commission recommended that a building setback line be established at 40' north and south of the center line of the existing street along West Lodi Avenue west of Hutchins Street to the City limits. On the motion of Councilman Robinson, Hughes second, the Council accepted the recommendation of the City Engineer and moved that an ordinance establishing such setback line be prepared.

HALL OF  
 JUSTICE  
 SPECS

Councilman Richey moved, Mitchel second, that the City Manager's office proceed with specifications on the Hall of Justice. Carried unanimously.

The Council adjourned at 9:25 p.m.

ATTEST:

  
 HENRY A. GLAVES, JR.  
 City Clerk